S.B.CRIMINAL MISC. BAIL APPLICATION NO. 4715/2007
(Amit Kumar Vs. State of Rajasthan)

DATE OF ORDER : 21/09/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. B.S.Rathore for the petitioner.
Mr. Ashok Upadhayay, Public Prosecutor for State.

Heard learned counsel for the petitioner and Public Prosecutor for the State. Perused the order impugned.

From the order impugned, it appears that Virendra is the owner of the Tanker who alleged to have mixed the colour with the Kerosene oil and got the tanker loaded from Jaipur. The petitioner is resident of New Delhi. At the time of mixing the colour and loading the tanker with the Kerosene Oil, the petitioner is not shown to be present as per the order impugned.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, I consider it just and proper to allow the bail application filed by the petitioner under Section 438 Cr.P.C.

Accordingly, the bail application filed by the petitioner u/s 438 Cr.P.C. is allowed and it is directed that in the event of arrest of petitioner Amit Kumar S/o Ajeet Singh in CR No.80/2007 P.S. Luni, district Jodhpur, he shall be released on bail for a period till the police concludes the investigation and files the challan provided he furnishes a personal bond in the sum of Rs.10,000/- alongwith one surety of like amount to the satisfaction of Investigating Officer to surrender and appear before the trial court on the date of filing of the challan after conclusion of the investigation on the following conditions:-

(i)That he shall make himself available for interrogation by a police officer as and when required;

(ii)That he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;

(iii)That he shall not leave India without the previous permission of the Court.

The petitioner shall surrender before the trial court on the date of filing of the challan and move a regular bail.

(H.R.PANWAR), J.

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